



Ministry of  
Attorney General  
Legal Services Branch

Mailing Address:  
PO Box 9280  
Stn Prov Govt  
Victoria BC  
V8W 9J7

Location:  
1001 Douglas Street  
Victoria BC V8W 1C8  
Telephone: 250 356-8400  
Facsimile: 250 356-9284

FILE NAME: Softwood Lumber  
FILE NO.: 31050-60/AKIN/SOFT2

RETAINER NO.: \_793\_

April 1, 2001

BY TELECOPIER

File: 31050-60/AKIN/SOFT2  
Softwood Lumber

STRICTLY  
CONFIDENTIAL

Akin, Gump, Strauss, Hauer & Feld  
Attorneys at Law  
1333 New Hampshire Avenue, N.W.  
Suite 400  
Washington, D.C. 20036

Attention: Mr. Spencer Griffith

Dear Mr. Griffith:

**Re: Government of British Columbia - Softwood Lumber**

I am writing to confirm your retainer (the "Retainer"), on behalf of the Ministry of Attorney General, which provides legal services to the Government of British Columbia, to act in the above matter in accordance with the provisions of this letter and the terms of reference (the "Terms of Reference") attached as Schedule "A" to this letter. The Retainer is for the period that commenced on April 1, 2001 and will end on March 31, 2002 and may be terminated by either party upon 30 days prior written notice.

Your retainer is governed by the attached Billing and Reporting Guide for Lawyers. Your fees for legal services will be at the applicable rates set out in Schedule "B" to this letter. Your fees are limited to \$1,000,000 (U.S. funds) including necessary disbursements. In accordance with government accounting requirements, you are to obtain prior approval in writing from the Branch for any amount in excess of the \$1,000,000 (U.S. funds) maximum fee limit. Should you find that your fees are approaching this limit, please write to Dennis M. Carson, Senior Solicitor, at the above address and provide an estimate of the additional funding you will require. The matter will be reviewed and a decision made on whether or not to continue.

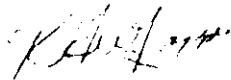
The enclosed Billing and Reporting Guide will be of assistance to you in the preparation of your account. These billing instructions are to ensure that we are able to process your accounts. Provisions of the *Financial Administration Act* and budgetary restraints make it impossible to pay accounts not in accordance with the billing requirements. Monthly accounts should be submitted to the attention of **Shelley Seel** at the above address by the 10th of the following month. All statements of account must be accompanied by summary descriptions of disbursements with supporting documentation available upon request.

Please be advised that the Ministry does not pay for secretarial services or word processing. Other lawyers, students, paralegals or consultants may be retained or utilized only with the agreement of the parties.

Please be advised that any records held in your files in relation to the provision of legal services in the above noted matter are subject to the B.C. *Freedom of Information and Protection of Privacy Act*.

**By way of confirmation of your agreement to act on the terms proposed would you please sign the duplicate of this letter where indicated and return to the attention of Shelley Seel.**

Yours truly,



Robert G.W. Lapper  
Assistant Deputy Attorney General

/encl.  
RL/vm

- c. Bronwen Beedle, Assistant Deputy Minister, Ministry of Forests  
Lois McNabb, Director  
Economics and Trade Branch, Ministry of Forests  
Dennis Carson, Senior Solicitor

**I/WE AGREE TO ACT IN THE ABOVE MATTER ON THE TERMS AND CONDITIONS DESCRIBED ABOVE.**

SIGNED:



DATED:

7/24/2001

## **SCHEDULE "A"**

### **Terms of Reference**

#### **1. Scope of Engagement**

Akin, Gump, Strauss, Hauer & Feld (the "Firm") will, at the request of or on the direction of staff of the Ministry of Forests, Province of British Columbia:

- (a) undertake to provide policy and litigation/arbitration counsel to the Government of British Columbia with respect to trade in softwood lumber and monitor U.S. legislation of interest to the Government of British Columbia in this area;
- (b) provide research and analysis of points of U.S. and/or international law related to trade in softwood lumber;
- (c) provide assistance in developing British Columbia proposals relating to trade in softwood lumber, including advice on consistency with international trade obligations and draft proposals, as requested;
- (d) assist in preparing for meetings between British Columbia/Canada and the U.S., including meetings with other Canadian counsel, U.S. officials, British Columbia government and industry representatives; and
- (e) provide assistance and advice on other related matters as may be agreed to by the parties.

#### **2. Conflicts**

The Firm will abide by the appropriate rules of the Washington, D.C. Bar and accepted canons of legal ethics. The Firm will, with assistance from the Government of British Columbia, attempt to stay fully apprised of the Government of British Columbia's various policy interests as they develop. The Firm will endeavor to consult closely with Government of British Columbia officials on policy matters within the Firm which, to the best of our knowledge, or based on information supplied by the Government of British Columbia, might impinge upon its interests.

## **SCHEDULE "B"**

### **Fees and Disbursements**

#### **1. Schedule of Hourly Rates**

<b><u>Attorney</u></b>	<b><u>Hourly Rate (U.S. Funds)</u></b>
Val Slater	\$400.00
Spencer Griffith	\$360.00
Patrick Macrory	\$330.00
Bruce Wilson	\$330.00
Stephen Claeys	\$310.00
Wynn Segal	\$310.00
Karen Toliver	\$250.00
Bernd Janzen	\$230.00
Tom McCarthy	\$210.00
Jonathan Joyce	\$200.00
Anthony Swisher	\$190.00
Anne Cusick	\$170.00
Peter Drum	\$110.00
Nadia Rakin	\$110.00
Legal Assistants	\$65 to \$100

#### **2. Disbursements**

Direct costs associated with the Retainer including travel, copying, printing, transcript costs, computerized research, long-distance telephone charges, messenger services and filing fees. The Firm will ensure that all statements of account contain detailed summary descriptions of disbursements with supporting documentation to be provided by the Firm to the Government of British Columbia upon request.

#### **3. Hourly Rate Changes**

If the hourly rates of the Firm change effective January 1, 2002, then the Schedule of Hourly Rates set out in paragraph 1 of this Schedule "B" will, subject to the agreement of the Firm and the Government of British Columbia, be adjusted to reflect any new hourly rates.



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Telephone: (250) 356-8443/8442/8440  
Facsimile: (250) 356-9284

**FILE NAME:** Softwood Lumber

**FILE NO.:** 31050-60/AKIN/SOFT2

**RETAINER NO.:** 793

July 23, 2001

Spencer Griffith  
Akin, Gump, Strauss, Hauer & Feld  
400 - 1333 New Hampshire Avenue, NW  
Washington, DC 20036

Dear Spencer Griffith:

**Re: Softwood Lumber**

This letter will confirm that your retainer in the above matter has been increased by \$1,500,000.00 ( U.S. funds) bringing your total retainer to \$2,500,000.00.( U.S. funds).

The following persons are also authorized to provide services in the above matter at the rates listed below:

Barney Skladany	\$450.00 per hour U.S.
Amal Ashwari Legal Assistant	\$110.00 per hour U.S.
Phyllis Derrick Economist	\$300.00 per hour U.S.

Yours truly,

Robert G.W. Lapper  
Assistant Deputy Attorney General

cc: Lois McNabb, JV Contact, Ministry of Forests  
Dennis Carson, Ministry of Attorney General